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# READ THIS

BEFORE YOU TOUCH THE  
STEERING WHEEL OF  
YOUR CAR

# Explanation

of the

## MANITOBA SAFETY RESPONSIBILITY LAW

### 1945

(Effective Dec. 1/45)

It is an offence to drive a motor vehicle  
during suspension of license or to pro-  
duce or file forged proof of Financial  
Responsibility.



MOTOR VEHICLE BRANCH,  
PROVINCE OF MANITOBA.

In 1945 Manitoba's Legislature enacted a law which concerns all citizens, motorists and pedestrians alike. The motorist is affected, irrespective of negligence or fault, for if he cannot show proof of financial responsibility at the time of the accident

1. His driver's license will be suspended;
2. His vehicle registration will be suspended;
3. His vehicle will be impounded;
4. Storage of his car while impounded will be charged against him.

The pedestrian or the motorist not responsible for the accident is affected because he will now be in a better position to recover damages assessed against the careless driver.

Under the new law, if the person found responsible for the accident has not all the funds to pay for the damage he caused, the court may order him to pay in monthly installments. Should he default in paying such installments his license will again be suspended.

*Note: Penalties do not affect*

1. The careful or lucky motorist who does not have an accident.
2. The motorist who, before he has an accident, proves his financial responsibility to the satisfaction of the Registrar by
  - (a) carrying adequate Public Liability and Property Damage insurance; or
  - (b) posting a bond which would provide the same coverage as an insurance policy; or

(c) depositing with the Provincial Treasurer money or security for money in the amount or value of \$11,000 for each motor vehicle registered in the name of such person or has obtained a certificate of the Motor Carrier Board. (This is of limited application and concerns only corporations which are self insurers.)

Where an accident occurs on a highway the driver, owner or other person in charge of a vehicle which was involved in the accident must:

1. Remain at or immediately return to the scene of the accident.
2. Render all reasonable assistance.
3. Give a statement in writing to anyone sustaining loss or injury or to any peace officer or to a witness stating his name and address and also the name and address of the registered owner of the vehicle and the number of the driver's license and the registration number of the motor vehicle.

Where bodily injury to or the death of any person or damage to property in an amount apparently exceeding \$25.00 results from an accident in which a motor vehicle is in any manner directly or indirectly involved, the Registrar shall suspend the license of the driver and the registration of every motor vehicle registered in the name of the owner unless the person whose license or registration is subject to suspension can produce a financial responsibility card covering the vehicle involved in the accident.

All judgments for personal injury or property damage must be paid in full or by installments or driver's license and car registrations will be suspended.

This law is designed:

1. To prevent accidents.
2. To enable accident victims to recover damages from careless motorists.

An outstanding feature of this new legislation is that it does not penalize automobile owners before they get into an accident. The careful and the lucky motorist who is never involved in an accident is not affected.

Another feature of the law is the *Unsatisfied Judgment Fund*. Provision is made for a fund to be created by requiring the owner of each motor vehicle registered under this Act to pay to the Registrar in addition to the regular fees, a sum not to exceed One Dollar per year for each motor vehicle registered. Once the fund reaches \$175,000, only such amount will be levied as will be necessary to maintain the fund at \$175,000.

Where any person recovers a judgment in the Province of Manitoba, for an amount exceeding \$100 in an action for damages resulting from bodily injury to, or the death of any person arising out of the ownership, maintenance, operation or use of a motor vehicle, then after the person has been unsuccessful in collecting his judgment by the usual processes of court, he may apply to the court for an order directing payment of the amount of the judgment from the fund.

So far we have just dealt with the accident features of the law. Other reasons for suspending license and registration are:

1. Convictions for racing, driving furiously, driving on a bet or wager on a highway, driving to the common danger, if in any such case damage to property in excess of \$25.00 or

bodily injury to or the death of any person occurs.

2. Failing to remain at the scene of an accident, failing to furnish a peace officer with particulars of the accident, if damage to property in excess of \$25.00 or bodily injury to or the death of any person occurs.
3. Driving a motor vehicle on a highway without a driver's or chauffeur's license, if in any such case damage to property in excess of \$25.00 or bodily injury to or the death of any person occurs.
4. An offence under Section 285 of the Criminal Code, including unlawful taking of a motor vehicle without the owner's consent, driving while intoxicated and reckless driving.
5. Criminal negligence and manslaughter.

## **LIFTING OF SUSPENSION**

Where a driver's license or car registration has been suspended, the driver and owner cannot obtain a new license or registration until:

1. Any outstanding judgment or judgments in connection with the accident have been disposed of in full or by installments.
2. The driver or owner has furnished proof of financial responsibility, i.e. a public liability and property damage insurance policy or one of the other plans already mentioned.
3. In cases involving convictions, he has satisfied any penalty imposed by the court and has given proof of financial responsibility.

After learning of the provisions of the law, most uninsured motorists give serious consideration to whether they should jeopardize their privilege to hold a driver's license by not being able to show their financial responsibility card should they become involved in an accident.

### **NOTE:**

A summary in popular non-legal language for the sole purpose of explaining this new legislation.

It is not exhaustive and has no legislative sanction. The Safety Responsibility part of "The Highway Traffic Act," which can be found in Cap. 23 S.M. 1945, should be consulted for all purposes of interpreting and applying the law.